

Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent			Docket No. 10241US02	
In Re Application Of: Jathan M. U. Gards				
Application No. 10/648,533	Filing Date 08/25/200	Examiner Paul W. Huber	Customer No. 30590	Group Art Unit 2653
Confirmation No. 4460				
Invention: TRACKING TECHNOLOGY FOR HOLOGRAPHIC DATA STORAGE MEDIA				
Owner of Record: Imation Corporation				
COMMISSIONER FOR PATENTS:				
<p>The above-identified Owner, as owner of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,523,183. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.</p>				
<p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims rejected by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer.</p>				
<p>Check either box 1 or 2 below as appropriate.</p>				
<p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p>				
<p>I hereby declare that all information and belief are believed statements and the like so made herein of my own knowledge are true and that all statements made on and further that these statements were made with the knowledge that willful false statements made under oath may be fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>				
<p>2. <input checked="" type="checkbox"/> The undersigned is an assignee.</p>				
<p><i>Eric L. F. Gards</i> Dated: 12/9/04</p>				
<p>Eric L. F. Gards Typed or Printed Name</p>				
<p><input checked="" type="checkbox"/> Terminal disclaimer under 37 C.F.R. 1.29(c) was made. Charge to Deposit Account 09-0069. <input checked="" type="checkbox"/> PTO suggested wording of terminal disclaimer was unchanged. <input type="checkbox"/> Certification under 37 C.F.R. 3.7(b) is required if terminal disclaimer is signed by the assignee.</p>				

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PAGE 28*RCVD AT 12/9/2004 3:19:41 PM (Eastern Standard Time) *SVCUSPTO-EXRF-121 DNS:8729314 CSD:651704 5951 DURATION (mm:ss):02:52

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